

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

HON. JOHN R. DITSWORTH

CLERK OF THE COURT
L. Mitchell
Deputy

STATE OF ARIZONA

FRANKIE LYNN GRIMSMAN

v.

EDGAR GARCIA (001)
DOB: 08/13/1980

MATTHEW J SMILEY

APO-SENTENCE IMPRISON-SE
APPEALS-CCC
AZ DOC
CITS - SE SPANISH
DISPOSITION CLERK-CSC
MCSO-ATTN RECORDS MANAGER
RFR

SENTENCE OF IMPRISONMENT

10:38 a.m.

Courtroom 904 - CCB

State's Attorney:	Frankie Lynn Grimsman
Defendant's Attorney:	Matthew Smiley
Defendant:	Present
Interpreter:	Gabriella Lindsey-Hall
Court Reporter:	Karen Dawson

Maria Olave addresses the Court.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

Count(s) 1, 2, 4, 9, 10, 11, 12, 14, 15, 16, and 17: The Defendant was found guilty after a trial by jury.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 SEXUAL CONDUCT WITH A MINOR
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1405, 3821, 31-281, 13-604.01, 701, 702, 702.01, 801
Date of Offense: on or between October 2, 2000 and October 1, 2002
Non Dangerous - Non Repetitive

OFFENSE: Count 2 SEXUAL CONDUCT WITH A MINOR
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1405, 3821, 31-281, 13-604.01, 701, 702, 702.01, 801
Date of Offense: on or between October 2, 2000 and October 1, 2002
Non Dangerous - Non Repetitive

OFFENSE: Count 4 KIDNAPPING
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1304, 1301, 604.01, 702, 702.01, 801
Date of Offense: on or between October 2, 2000 and October 1, 2002
Non Dangerous - Non Repetitive

OFFENSE: Count 9 SEXUAL CONDUCT WITH A MINOR
Class 2 FELONY
A.R.S. § 13-1401, 1405, 3821, 610, 701, 702, 702.01, 801
Date of Offense: on or between October 2, 2007 and October 1, 2008
Non Dangerous - Non Repetitive

OFFENSE: Count 10 KIDNAPPING
Class 2 FELONY
A.R.S. § 13-1304, 1301, 701, 702, 702.01, 801
Date of Offense: on or between October 2, 2007 and October 1, 2008
Non Dangerous - Non Repetitive

OFFENSE: Count 11 SEXUAL ABUSE
Class 3 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1404, 1401, 3821, 610, 604.01, 702, 702.01, 801
Date of Offense: on or between October 2, 2005 and October 1, 2006
Non Dangerous - Non Repetitive

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

OFFENSE: Count 12 SEXUAL ABUSE
Class 3 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1404, 1401, 3821, 31-281, 13-604.01, 702, 702.01, 801
Date of Offense: on or between October 2, 1999 and October 1, 2001
Non Dangerous - Non Repetitive

OFFENSE: Count 14 CHILD MOLESTATION
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1410, 3821, 610, 705, 701, 702, 801
Date of Offense: on or between March 21, 2000 and March 20, 2001
Non Dangerous - Non Repetitive

OFFENSE: Count 15 SEXUAL CONDUCT WITH A MINOR
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1405, 3821, 31-281, 13-604.01, 701, 702, 702.01, 801
Date of Offense: on or between March 21, 2000 and March 20, 2003
Non Dangerous - Non Repetitive

OFFENSE: Count 16 CHILD MOLESTATION
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1410, 3821, 610, 705, 701, 702, 801
Date of Offense: on or between March 21, 2002 and March 21, 2003
Non Dangerous - Non Repetitive

OFFENSE: Count 17 SEXUAL CONDUCT WITH A MINOR
Class 2 FELONY AND DANGEROUS CRIME AGAINST CHILDREN
A.R.S. § 13-1401, 1405, 3821, 610, 604.01, 701, 702, 702.01, 801
Date of Offense: on or between March 21, 2003 and March 20, 2004
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 20 year(s) from 04/01/2015
Presentence Incarceration Credit: 854 day(s)
Presumptive

Count 2: 20 year(s) from upon completion of DOC term imposed in Count 1
Presentence Incarceration Credit: 0 day(s)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

Presumptive

This sentence is to be consecutive to Count 1.

Count 4: 20 year(s) from upon completion of DOC term imposed in Count 2

Presentence Incarceration Credit: 0 day(s)

Presumptive

This sentence is to be consecutive to Count 2.

Count 9: 10 year(s) from upon completion of DOC term imposed in Count 4

Presentence Incarceration Credit: 0 day(s)

Maximum

Sentence is concurrent with Counts 10, 11, and 12 and consecutive to Count 4.

Count 10: 10 year(s) from upon completion of DOC term imposed in Count 4

Presentence Incarceration Credit: 0 day(s)

Maximum

Sentence is concurrent with Counts 9, 11, and 12 and consecutive to Count 4.

Count 11: 7.5 year(s) from upon completion of DOC term imposed in Count 4

Presentence Incarceration Credit: 0 day(s)

Maximum

Sentence is concurrent with Counts 9, 10, and 12 and consecutive to Count 4.

Count 12: 7.5 year(s) from upon completion of DOC term imposed in Count 4

Presentence Incarceration Credit: 0 day(s)

Maximum

Sentence is concurrent with Counts 9, 10, and 11 and consecutive to Count 4.

Count 14: 20 year(s) from upon completion of DOC term imposed in Count 12

Presentence Incarceration Credit: 0 day(s)

More Than Presumptive

This sentence is to be consecutive to DOC term imposed in Count 12.

Count 15: 20 year(s) from upon completion of DOC term imposed in Count 14

Presentence Incarceration Credit: 0 day(s)

Presumptive

This sentence is to be consecutive to DOC term imposed in Count 14.

Count 16: 20 year(s) from upon completion of DOC term imposed in Count 15

Presentence Incarceration Credit: 0 day(s)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

More Than Presumptive

This sentence is to be consecutive to DOC term imposed in Count 15.

Count 17: 20 year(s) from upon completion of DOC term imposed in Count 16

Presentence Incarceration Credit: 0 day(s)

Presumptive

This sentence is to be consecutive to DOC term imposed in Count 16.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Counts 1, 2, 4, 9, 10, 11, 12, 14, 15, 16, 17: PROBATION SURCHARGE: \$20.00.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 9, 10, 11, and 12 - Imposed pursuant to A.R.S. § 13-603(I).

Upon oral motion of the State and there being no objection,

IT IS ORDERED dismissing Counts 3 and 5 without prejudice.

Let the record reflect that Defendant was found not guilty of Counts 6, 7, 8, and 13 at trial.

Counts 1, 2, 4, 9, 10, 11, 12, 14, 15, 16, and 17 - IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

Counts 3, 5, 6, 7, 8, and 13 - IT IS ORDERED that Defendant be released from custody for this Count(s) only.

Pursuant to A.R.S. § 13-3821(K), notification is made to the Sheriff of Maricopa County, Arizona.

11:07 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-159502-001 SE

04/01/2015

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. JOHN R. DITSWORTH
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)